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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,352	07/28/2000	Masahide Noda	1405.1024/JDH	3309

21171 7590 09/10/2003

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EXAMINER
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CHOUDHARY, ANITA

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

4

# Office Action Summary

Application No.

09/628,352

Applicant(s)

NODA ET AL.

Examiner

Anita Choudhary

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

Claims 1-12 are pending.

#### *Priority*

Claim priority to foreign application Japan 11-292808 has been made in this application.

The effective filing date for the subject matter defined in the pending claims in the application is October 14, 1999.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Tang et al. (US 5,793,365).

In referring to claim 1 and 9, Tang shows a system providing for a user interface enabling access to distributed work group members. Tang shows a plurality of chat devices which share a virtual chat space (workgroup) configured on a network which send and receive messages (Abstract). Tang also shows:

- Linking in the chat device (fig. 10, 101) a character (icons, fig. 1A) that can be operated according to the predetermined operation instruction (attentive, idle, engaged, do not disturb, absent) received by the chat device (col. 5 lines 56- col. 6 line 26).

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- Detecting a predetermined event (keyboard movement, motion detection) occurring within the chat space (col. 6 lines 63- col.7 lines 19).
- A first determination means for determining one or a plurality of operation instructions (attentive, idle, engaged, do not disturb, absent) for operating the character (icon) based on the detected event (col. 7 lines 20-28).
- A second determination means for determining one or a plurality of chat devices to be sent an operation instruction from among the chat devices chatting the chat space (workgroup, col. 5 lines 18-22).
- Sending an operation instruction via the chat system to the chat devices that is the operation instruction destination and operating the character (icon updates col. 7 lines 20-28).

In referring to claim 2, Tang shows method for operation instructions originating address (status information), destination address (workgroup) and event detection time (idle time) are sent to the destinations together with the operation instruction (col. 7 lines 29-61).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-8 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang et al. as disclosed above, in view of Gross et al (US 5,802,253).

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In referring to claim 3, 5, 10-12, although Tang shows substantial features of the claimed invention, Tang does not show an association table for relationally storing the predetermined events and operation instructions. Nonetheless this feature is well known in the art, and would have been an obvious modification to the system disclosed by Tang as evidenced by Gross.

In an analogous art, Gross shows a system for event driven rule based messaging. Gross show the storing of relational rules, which follow a “when-if-then” model, in order to execute operations after the detection of a predetermined event. Gross shows association templates, tables, or any graphical user interface known in the art, for accessing rules. (See rules messaging mechanism 10, col. 4 lines 1-44).

Given this feature, a person of ordinary skill in the art would have readily recognized the desirability and advantages of a modifying the system shown by Tang to employ the feature shown by Gross in order to store, update and implement rules in an efficient system (see Gross col. 2 lines 62-col. 3 lines 14).

In referring to claim 4 and 6, Tang shows method for operation instructions originating address (status information), destination address (workgroup) and event detection time (idle time) are sent to the destinations together with the operation instruction (col. 7 lines 29-61).

In referring to claim 7, Gross shows a control means (event mechanism 36, fig. 4) that selects and sends one or many operations based on predetermined event (col. 6 line 38-48).

In referring to claim 8, Tang shows plurality of characters (icons) linked to a chat device (gallery window 10) and the second determination means can determine the icon to operate (col. 6 lines 14-26). And a communication means sends an operation instruction including a character

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specification to the chat device associated with the character in order to operate the character (icon update, col. 7 lines 29-61).

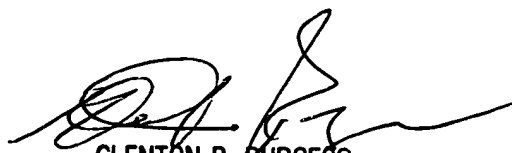
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita Choudhary whose telephone number is (703) 305-5268. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

AC  
August 28, 2003

  
GLENTON B. BURGESS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100